

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-1384

HURLEY BANKS, JR.,

Plaintiff - Appellant,

versus

TOWN OF CULPEPER; RICKY ALLEN PINKSAW, Officer
for the Town of Culpeper; RICHARD C. BROOKING,
Officer for the Town of Culpeper; ROSCOE FORD,
Sergeant for the Town of Culpeper; F. T.
GIMBEL, Deputy for the County of Culpeper;
UNKNOWN NAMED AGENTS OF THE TOWN OF CULPEPER;
CHRIS HOCKMAN, Officer for the Town of
Culpeper,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Charlottesville. James H. Michael, Jr.,
Senior District Judge. (CA-93-55-C)

Argued: November 3, 1995

Decided: July 23, 1996

Before WILKINSON, Chief Judge, and WIDENER and WILLIAMS, Circuit
Judges.

Affirmed by unpublished per curiam opinion.

ARGUED: Deborah C. Wyatt, WYATT & CARTER, Charlottesville,
Virginia, for Appellant. Neal Lawrence Walters, GILLIAM, SCOTT &
KRONER, P.C., Charlottesville, Virginia, for Appellees. **ON BRIEF:**
George H. Gilliam, GILLIAM, SCOTT & KRONER, P.C., Charlottesville,
Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

The plaintiff, Banks, who had been told by the defendant officers to leave, and understanding that he was not to return to, the scene of a riot the officers has just quelled, nevertheless returned and refused to back off from a police car in which was an officer who had been injured in the riot and a participant in the riot who had been arrested. One of the defendant officers ordered the plaintiff arrested, and he claims the arrest was without probable cause, accompanied by excessive force and that he had a First Amendment right to return to the scene of the riot to ask about a friend.

We have considered the record and the opinion of the district court and, after oral argument, find that the actions of the officers were entirely reasonable and that there is no reversible error in the decision of the district court.

We affirm for the reasons sufficiently expressed in the opinion of the district court. Banks v. Town of Culpeper, 93-055-C (W.D.Va. Feb. 2, 1995).

AFFIRMED